

Panaji, 13th July, 1992 (Ashada 22, 1914)

SERIES II No. 15

OFFICIAL GAZETTE

GOVERNMENT OF GOA

EXTRAORDINARY

No. 3

GOVERNMENT OF GOA

Law (Establishment) Department

Office of the Chief Electoral Officer

Notification

No. 5-1-92/ELN

The following Notifications Nos. 479/7/92/I and No. 479/7/92/III, both dated 8th July, 1992 and Notification No. 479/7/92/I, dated 10th July, 1992 received from the Election Commission of India, New Delhi are hereby published for general information.

B. S. Subbanna, Law Secretary/Addl. Chief Electoral Officer.

Panaji, 13th July, 1992.

Election Commission of India

New Delhi, Dated the 10th July, 1992
19 Asadha, 1914 (Saka).

Notification

No. 479/7/92/I

Whereas, rule 7(a) of the Presidential and Vice-Presidential Elections Rules, 1974 provides that at every Presidential Election where a poll is to be taken, the Election Commission shall fix a place of polling in the Parliament House, New Delhi, and also in the premises in each State in which the Legislative Assembly of that State meets for transaction of business;

And whereas, the Election Commission, by its Notification No. 479/7/92/I, dated 10th June, 1992, issued in pursuance of the said rule 7(a), had fixed, among other places, the Conference Hall of Manipur Legislative Assembly, Imphal as the place of poll for elected members of the Manipur Legislative Assembly and any elected member of Parliament, who after intimation to the Election Commission intends to vote at the place of polling in Imphal;

And whereas, before fixing the said place of polling in Imphal, the permission of the Hon'ble Speaker of the Manipur Legislative Assembly for using the said Conference Hall as the place of polling was obtained;

And whereas, the Election Commission by its Notifications No. 479/3/92/III, dated 5th June, 1992 and 479/7/92/III, dated 10th June, 1992 had appointed the Secretary of the Manipur Legislative Assembly as the Assistant Returning

Officer and specified him as the Officer who shall conduct the poll at the aforesaid place of polling in Imphal;

And whereas, there was some controversy as to who is the real incumbent of the post of Secretary of the Manipur Legislative Assembly in view of certain Court proceedings pending before the Hon'ble Supreme Court and the Commission, by its subsequent Notification No. 479/3/92-III, dated 5th July, 1992 appointed the Deputy Commissioner Imphal as the Assistant Returning Officer and the specified Officer for the conduct of the poll at the aforementioned place of polling in Imphal;

And whereas, the Hon'ble Speaker of Manipur Legislative Assembly subsequently directed on 8th July, 1992 that the said Conference Hall of the Manipur Legislative Assembly shall not be spared for holding the Presidential Election as its place of poll;

And whereas, the Election Commission, by its message No. 479/7/92/I dated 10th June, 1992, requested the Hon'ble Speaker kindly to reconsider his decision in view of the express provisions of the above referred rule 7(a) of the Presidential and Vice-Presidential Elections Rules, 1974;

And whereas, the Hon'ble Speaker of Manipur Legislative Assembly has informed vide the message No. 8/1(14)/92-LA (LEG), dated 10th July, 1992 from Shri N. Hera Singh, Secretary-in-charge of Manipur Legislative Assembly, Imphal that "the Election Commission has recently amended the mandatory provision under Sub-section (1) of Section 3 of the Presidential and Vice-Presidential Elections Act, 1952 for the States of Bihar and Manipur, without inviting view of comment from the Speaker in the latter case" and has appointed the Deputy Commissioner, Imphal as Assistant Returning Officer for conducting the Presidential Election in Manipur and fixed a venue of polling in the premises of Manipur Legislative Assembly;

And whereas, the Hon'ble Speaker of Manipur Legislative Assembly has desired through the said message, dated 10-7-1992 either to conduct the Presidential Election elsewhere outside the premises of the State Legislative Assembly under the management of the Assistant Returning Officer appointed by the Election Commission or to appoint any responsible Officer from the Secretariat of Manipur Legislative Assembly as Assistant Returning Officer for conducting the said election at the Assembly premises;

And whereas, the Election Commission is now left with no alternative except to fix another place of polling in Imphal instead of the Conference Hall of the Manipur Legislative Assembly as originally fixed;

And whereas, the Chief Electoral Officer, Manipur has proposed the Conference Hall of Old Secretariat Building, Manipur, Imphal as the alternative place of polling and has certified that the Hall is spacious enough and suitable for conducting free, fair and peaceful poll and that the Building where the above mentioned Conference Hall is situated is secure;

Now, therefore, the Election Commission, in exercise of the powers conferred by Articles 324 of the Constitution, Rule 7(a) of the Presidential and Vice-Presidential Elections Rules, 1974 and all other powers enabling it in this behalf, hereby fixes the Conference Hall of Old Secretariat Building Manipur, Imphal, as the place of polling in Imphal for the Presidential Election to be held on 13th July, 1992 and directs that the Commission's Notification Nos. 479/7/92/I and 479/7/92/III, both dated the 10th June, 1992 shall be amended as under:—

1) In the Table appended below Notification No. 479/7/92/I dated 10th June, 1992, for the existing entry against Item No. (15) under Column 1, the entry "Conference Hall of old Secretariat Building, Imphal Manipur," shall be substituted; and,

2) In the Table appended below Notification No. 479/7/92/III, dated 10th June, 1992, for the existing entry against Item No. 14 under Column 2, the entry "Conference Hall of Old Secretariat Building, Imphal Manipur," shall be substituted.

By order,
K. P. G. KUTTY
Secretary

New Delhi, Dated the 8th July, 1992
17 Asadha, 1914 (Saka)

Notification

No. 479/7/92/I

In pursuance of clause (b) of rule 7 of the Presidential and Vice-Presidential Elections Rules, 1974, the Election Commission hereby directs that the following amendment shall

be made in its notification No. 479/7/92/I, dated the 10th June, 1992, namely.

In the Table appended to said notification, under column 1, for the item 5 "Reading Room of Library of the Bihar Vidhan Sabha, Patna" the entry "The large size Room No. 9 on Ground Floor of the Bihar Legislative Assembly, Patna" shall be substituted.

By order,
K. P. G. KUTTY
Secretary

New Delhi, Dated the 8th July, 1992
17 Asadha, 1914 (Saka)

Notification

No. 479/7/92/III

In pursuance of clause (a) of rule 7 of the Presidential and Vice-Presidential Elections Rules, 1974, read with sub-rule (1) of rule 9 of said Rules, the Election Commission hereby directs that following amendment shall be made in its Notification No. 479/7/92/III, dated the 10th June, 1992, published in the Gazette of India, Part II, Section 3(iii), dated the 10th June, 1992, namely.

In the Table appended to said notification against item 4 for the existing entry under column 2, the entry "The large size Room No. 9 on the Ground Floor of the Bihar Legislative Assembly, Patna" shall be substituted.

By order,
K. P. G. KUTTY
Secretary